

REMARKS

In an office action mailed October 8, 2002 (paper no. 5), claims 1-3, 5-8, and 10-13 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent 5,832,451 granted to Flake et al. ("*Flake*"). Claims 15-19 were rejected under 35 U.S.C. 102(a) as being anticipated by "Hotel Reservations Network Taps Pegasus Systems to Expand Online Hotel Reservations Capabilities Agreement; Adds 22,000 Hotels to HRN's Consumer Website," PR Newswire, New York, Sept. 30, 1998 ("*HRN*"). Claims 4, 9, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Flake* in view of *HRN*. Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over *HRN* in view of *Flake*. These rejections are respectfully traversed.

Rejections Under 35 U.S.C. 102

Claims 1-3, 5-8, and 10-13 were rejected under 35 U.S.C. 102(b) as being anticipated by *Flake*. In particular, it is alleged that *Flake* discloses a "master reservation system receiving the reservation data and storing the reservation data in a database, the master reservation system receiving the update data and updating the database with the update data." Claims 15-19 were rejected under 35 U.S.C. 102(a) as being anticipated by *HRN*. In particular, it is alleged that *HRN* discloses "storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database." These rejections are respectfully traversed.

Flake fails to provide a prima facie basis for the rejection of claims 1-3, 5-8, and 10-13, because it fails to disclose each element of the claimed inventions. In regards to claim 1, *Flake* fails to disclose "a reservation data system interface receiving reservation data and update data from two or more reservation systems; and a master reservation system coupled to the reservation data system, the master reservation system receiving the reservation data and storing the reservation data in a database, the master reservation system receiving the update data and updating the database with the update data." Instead, *Flake* discloses a travel agency 12 that interfaces with a plurality of computer reservation systems 14. A business entity profile 18 or individual profile 20 is used to interface with each of these computer reservations systems 14, but reservation data and update data from the computer reservation systems is not stored at travel

agency 12 other than that associated with reservations that have already been made. "System 10 maintains the business and individual entity profile information, along with all available customer reservation information, in the relational database." *Flake*, col. 4, lines 4-6. System 10 does *not* maintain reservation inventory information. "Preferably, the inventory information provided by computer reservation systems 14 is ultimately received for processing by system 10. Generally, system 10 preferably functions to centralize the travel service information received from each of computer reservation systems 14." *Flake*, col. 3, lines 32-37. Thus, in order to make a reservation using the system of *Flake*, it is necessary to interface with each of the different computer reservation systems 14.

In contrast, claim 1 allows a user to make a reservation without interfacing with two or more different computer reservation systems. A reservation data system interface receives reservation data and update data from two or more reservation systems. The reservation data can include but is not limited to room availability data, and the update data and include but is not limited to changes to the room availability data that result from reservations made at the hotel or by other systems. Likewise, claim 8 provides storing reservation data from two or more reservation data systems in a database; receiving status update data from one or more of the reservation data systems; and updating the database with the status update data. Thus, the system of claim 1 and the method of claim 8 eliminate the need to query each computer reservation system and the associated delay for such queries, while maintaining the reliability of the data. As to claim 1, a master reservation system coupled to the reservation data system receives the reservation data and update data and stores the reservation data and update data in a database, such that a user interface system coupled to the master reservation system can receive reservation request data and providing updated reservation data in response to the reservation request data. *Flake* utterly fails to disclose this, and requires users to interface with each computer reservation system 14 to receive updated reservation data in response to the reservation request data. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 2 includes a monitoring system storing sequence number data associated with the update data. The cited section of *Flake* has nothing to do with sequence number data associated with update data – “at block 278, the system receives travel arrangement information from the [passenger name record] stored in the relational database, and compares the information with a predetermined set of quality criteria.” *Flake*, col. 11, lines 49-52. What are these “quality” criteria? “[T]he QA software routine can search all available computer reservation systems for lower rates than those that were booked by the agent. If the QA software identifies such an “error,” the software prompts system 10 to generate a “flag” which indicates that some corrective action should be taken.” *Flake*, col. 7, lines 47-54. Not only does this cited section of *Flake* clearly demonstrate that any access to reservation data by the system of *Flake* is made by querying the external computer reservation systems and not an internal database that is updated, it also demonstrates that there is absolutely no need for sequence number data associated with the update data for the reservation data by *Flake*, as there is no such update data to be associated with sequence data. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 3 includes a master reservation interface system coupled to the reservation data system interface and one of the reservation data systems that receives the update data from the reservation data system and transmits the update data to the reservation data system interface. *Flake* fails to disclose any such master reservation interface system coupled to the reservation data system interface and one of the reservation data systems, and instead discloses that “although each computer reservation system formats its travel service information and command structures differently, system 10 functions to integrate the different information and commands into one format for use by all travel agents.” *Flake*, col. 3, lines 36-41. Thus, the system of *Flake* converts computer reservation system formats at system 10, instead of distributing that conversion functionality to each of the reservation data systems. There is simply no need or functionality that could be provided in *Flake* for a master reservation interface system coupled to the reservation data system interface and one of the reservation data systems that receives the update data from the reservation data system and transmits the update data to reservation data

system interface. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 5 includes the master reservation system further comprising a property system that receives property modification data and updates the database with the property modification data. This feature is also entirely missing from *Flake*, which has no need to receive property modification data, which can include but is not limited to data that identifies additional rooms, reduced numbers of rooms, or new classes of rooms. Instead, *Flake* obtains this information from each computer reservation system 14, which store all inventory information, including any increases or decreases of rooms at a property or changes to classes of rooms. *Flake*, col. 3, lines 32-37. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 6 includes the master reservation system further comprising a rate plan system that receives rate plan modification data and updates the database with the rate plan modification data. Again, *Flake* has no need for such a system, as all inventory information is maintained by the computer reservation systems 14. *Flake*, col. 3, lines 32-37. Any quality assurance that is performed to determine whether a lower rate is available must be accomplished by querying each of the computer reservation systems 14. *Flake*, col. 7, lines 47-54. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 7 includes the master reservation system further comprising a distribution channel system that receives distribution channel modification data and updates the database with the distribution channel modification data. *Flake* does not even mention distribution channels, which are further described in the specification at page 18, lines 10-15. The cited section of *Flake* only reveals a single distribution channel – the travel agent. Any distribution channel functions must be performed by each of the computer reservation systems 14 of *Flake* when needed to assist with the making of a reservation. *Flake*, col. 7, lines 47-54. Thus, *Flake* not

only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 10 includes the method of claim 8 wherein storing reservation data from two or more reservation data systems in a database comprises storing property data. There is no need to store property data associated with reservation data in *Flake*, as such data is obtained from each of the computer reservation systems 14 when needed to assist with the making of a reservation. *Flake*, col. 7, lines 47-54. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 11 includes the method of claim 8 wherein storing reservation data from two or more reservation data systems in a database comprises storing rate plan data. There is no need to store rate plan data associated with reservation data in *Flake*, as such data is obtained from each of the computer reservation systems 14 when needed to assist with the making of a reservation. *Flake*, col. 7, lines 47-54. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 12 includes the method of claim 8 wherein receiving status update data from one or more of the reservation data systems comprises receiving room availability update data. There is no need to receive room availability update data in *Flake*, as such data is managed by each of the computer reservation systems 14. *Flake*, col. 7, lines 47-54. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 13 includes the method of claim 8 wherein receiving status update data from one or more of the reservation data systems comprises receiving room price update data. There is no need to receive room price update data in *Flake*, as such data is managed by each of the computer reservation systems 14. *Flake*, col. 7, lines 47-54. Thus, *Flake* not only fails to disclose this feature, it fails to provide any motivation to be combined with other art to provide this feature.

HRN fails to provide a prima facie basis for the rejection of claim 15, as it fails to disclose "storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database; receiving a request for reservation data for one or more of the properties; and providing reservation data reflecting the current status of the property." The cited sections of *HRN* do not disclose that reservation data reflecting the current status of two or more properties from two or more reservation data systems are stored in the database. "The advanced technology enables users of third-party Web sites to access Pegasus' database of approximately 22,000 hotels in 165 countries and provides them with the ability to shop and query room availability, view photos, make a reservation online and receive a confirmation in seconds." As stated in the Background of the Invention at paragraph 4:

[R]eservation systems for multiple facilities use static databases that reflect a small number of rates and availability data that is updated infrequently or not at all. A frequent problem encountered by such users is that the first reservation system will indicate availability of reservations or a particular rate, but upon contacting the local reservation data system, the user will find that the rate does not exist, or that rooms are not available. Thus, users of such reservation systems for multiple facilities must not only contact a reservation data system for each separate lodging facility of interest, but also frequently encounter facilities that do not have the rates of interest or do not have room availability. Thus, a user who is attempting to find a number of comparable properties to do a price comparison or provide options to a traveler must often directly contact a large number of properties to obtain on several choices or price points.

HRN merely discloses such a static database, which was operated by the Assignee of the pending application. The current status of two or more properties from two or more reservation data systems in a database is not received by such prior art systems, and as such, reservation data reflecting the current status of the property can not be provided. As such, *HRN* fails to provide a prima facie basis for the rejection of claim 15.

Claim 16 includes the method of claim 15 wherein storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database further comprises updating the database with status update data. The system disclosed in *HRN* does not receive status update data reflecting the current status of two or more properties, but rather uses a static database that reflects a small number of rates and availability data that is

updated infrequently or not at all. Therefore, *HRN* fails to provide a prima facie basis for the rejection of claim 16.

Claim 17 includes the method of claim 16 wherein updating the database with status update data further comprises storing a transaction sequence number. The system disclosed in *HRN* does not receive status update data reflecting the current status of two or more properties, but rather uses a static database that reflect a small number of rates and availability data that is updated infrequently or not at all, and as such, would have no need to store a transaction sequence number, such as for the reasons disclosed in the specification at paragraph 26 or for other suitable reasons. Therefore, *HRN* not only fails to provide a prima facie basis for the rejection of claim 17, it fails to provide any motivation to be combined with other art to provide this feature.

Claim 18 includes the method of claim 15 wherein receiving the request for reservation data for one or more of the properties comprises receiving a request for distressed inventory. Distressed inventory by its nature is volatile, as it includes discounted rooms or other items that are attractive because of their lower price. The system disclosed in *HRN* is particularly unattractive for distressed property, as it is merely the combination of the system used by Hotel Reservation Network with that used by Pegasus, such that a user can receive information from either source, but where the sources are not combined. "Pegasus Systems' online reservation service provides third-party Web sites with direct access to the same hotel reservation and confirmation capabilities provided by Pegasus Systems' consumer retail site. . . . advanced technology enables users of third-party Web sites the ability to shop and query room availability, view photos, make a reservation online and receive a confirmation in seconds." *HRN* page 1 at 4. Thus, each property must deal independently with Hotel Reservations Network and Pegasus Solutions, and must segregate which properties to provide through Hotel Reservations Network and which properties to provide through Pegasus Solutions. The invention of claim 18 eliminates the need for the bifurcated and redundant process of *HRN*. As such, *HRN* teaches away from a combination with other art to yield the invention of claim 18.

Claim 19 includes the method of claim 15 wherein receiving the request for reservation data for one of the properties comprises receiving a request for rate plan data. The system disclosed in *HRN* does not receive rate plan data reflecting the current status of two or more properties, but rather uses a static database that reflects a small number of rates and availability data that is updated infrequently or not at all. Therefore, *HRN* fails to provide a prima facie basis for the rejection of claim 19.

As described above, withdrawal of the rejection of claims 1-3, 5-8, and 10-13 under 35 U.S.C. 102(b) as being anticipated by *Flake* and of claims 15 through 19 under 35 U.S.C. 102(a) as being unpatentable over *HRN* is respectfully requested.

Rejections Under 35 U.S.C. 103

Claims 4, 9, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Flake* in view of *HRN*, and claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over *HRN* in view of *Flake*. In particular, it is acknowledged that *Flake* does not disclose a chain system receiving chain modification data and receiving distressed inventory data, and that *HRN* does not disclose receiving a request for negotiated rate data. These rejections are respectfully traversed.

Flake in view of *HRN* fails to provide a prima facie basis for the rejection of claim 4, as it fails to teach or suggest each element of the claimed invention. Claim 4 includes the system of claim 1 wherein the master reservation system further comprises a chain system receiving chain modification data and updating the database with the chain modification data. As previously discussed, *Flake* is drawn to a system where computer reservation systems are accessed by the travel agency 12, and where a database of reservation data is not stored. Likewise, as previously discussed, *HRN* discloses a static database, where the current status of two or more properties from two or more reservation data systems is not received and stored in a centralized database. As such, *Flake* teaches away from the combination with *HRN* – how do you combine a system with a static, infrequently-updated centralized database with a system that queries each individual computer reservation system 14 of *Flake*? How would conflicts between data obtained by each

process be resolved? If the chain data in the static, infrequently-updated database conflicted with corresponding chain data from the computer reservation system 14 of *Flake*, which would take precedence? *Flake* and *HRN* are simply unable to be combined, and even if they were combined, they fail to teach or suggest the invention of claim 4.

Likewise, the combination of *Flake* and *HRN* is improper with regards to claims 9, 14, and 20. Claim 9 includes the method of claim 8 wherein storing reservation data from two or more reservation data systems in a database comprises storing hotel chain data. There is no need to store hotel chain data associated with reservation data in *Flake*, as such data is obtained from each of the computer reservation systems 14 when needed to assist with the making of a reservation. *Flake*, col. 7, lines 47-54. Claim 14 includes the method of claim 8 wherein receiving status update data from one or more of the reservation data systems comprises receiving distressed inventory data. There is no need to receive distressed inventory data for two or more properties in *Flake*, as such data is managed by each of the computer reservation systems 14. *Flake*, col. 7, lines 47-54. Claim 20 includes the method of claim 15 wherein receiving the request for reservation data for one of the properties comprises receiving a request for negotiated rate data. There is no need to receive negotiated rate data for two or more properties in *Flake*, as such data is managed by each of the computer reservation systems 14. *Flake*, col. 7, lines 47-54. Thus, *Flake* not only fails to disclose these features, it fails to provide any motivation to be combined with other art to provide this feature. Likewise, a combination of *Flake* with *HRN* creates the same data conflict problems with respect to claims 9, 14, and 20 as previously discussed with respect to claim 4. As such, withdrawal of the rejection of claims 4, 9, and 14 under 35 U.S.C. 103(a) as being unpatentable over *Flake* in view of *HRN*, and of claim 20 under 35 U.S.C. 103(a) as being unpatentable over *HRN* in view of *Flake* is respectfully requested.

New claims 21 through 25 are presented herewith for examination, and are believed to also be distinguishable from the prior art. No new matter has been added.

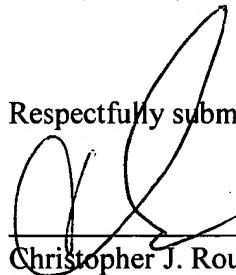
CONCLUSION

In view of the foregoing remarks and for various other reasons readily apparent, Applicants submit that all of the claims now present are allowable, and withdrawal of the rejection and a Notice of Allowance are courteously solicited.

If any impediment to the allowance of the claims remains after consideration of this amendment, and such impediment could be alleviated during a telephone interview, the Examiner is invited to telephone the undersigned at (214) 969-4669 so that such issues may be resolved as expeditiously as possible.

A check for an additional fee of \$90.00 for five (5) additional dependent claims is submitted herewith. No additional fee is believed to be due. If any applicable fee or refund has been overlooked, the Commissioner is hereby authorized to charge any fee or credit any refund to the deposit account of Akin, Gump, Strauss, Hauer & Feld, L.L.P., No. 01-0657.

Respectfully submitted,



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VERSION WITH MARKINGS SHOWING CHANGES MADE TO THE CLAIMS

21. (NEW) The system of claim 1 wherein the reservation data includes room availability data for each of the available rooms at each property managed by each of the two or more reservation systems, and where the update data includes rented room data at one of the properties that reflects rooms that were previously indicated as being available at that property and which have since become unavailable.

22. (NEW) The system of claim 1 further comprising:
a master reservation interface system coupled to the reservation data system interface and one of the reservation data systems, the master reservation interface system receiving the update data from the reservation data system and transmitting the update data to reservation data system interface;

a status update system providing status update data that includes room reservation data and rate change data to the master reservation interface system when the status update data becomes effective for the corresponding reservation system; and

wherein the master reservation interface system transmits the status update to the master reservation system upon receiving the status update data from the status update system.

23. (NEW) The method of claim 15 wherein storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database comprises:

receiving status update data at a local property reservation system when a room at a property has been reserved;

transmitting the status update data to the database; and

updating a central database to decrease the number of available rooms for the property.

24. (NEW) The method of claim 15 wherein storing reservation data reflecting the current status of two or more properties from two or more reservation data systems in a database comprises:

receiving status update data at a local property reservation system when a rate plan at a
5 property has been changed;
transmitting the status update data to the database; and
updating a central database to change the rate plan for each of the rooms for the property.

25. (NEW) The method of claim 15 wherein storing reservation data reflecting the
current status of two or more properties from two or more reservation data systems in a database
comprises:

receiving status update data at a hotel chain reservation system when distribution channel
5 data for a hotel chain has been changed;
transmitting the status update data to the database; and
updating a central database to change the distribution channel data for each of two or
more properties in the hotel chain.